

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

HANS MOKE NIEMANN,

Plaintiff,

vs.

SVEN MAGNUS ØEN CARLSEN A/K/A
MAGNUS CARLSEN, PLAY MAGNUS AS
D/B/A PLAY MAGNUS GROUP, CHESS.COM,
LLC, DANIEL RENSCH A/K/A “DANNY”
RENSCH, AND HIKARU NAKAMURA,

Defendants.

Case No. 4:22-cv-01110-AGF

**DECLARATION OF BRYCE HEINZ IN SUPPORT OF DEFENDANT
CHESS.COM, LLC’S MOTION FOR FURTHER DIRECTION AND
FOR EXTENSION OF TIME TO FILE CORPORATE DISCLOSURE
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 7.1**

I, Bryce Heinz, hereby declare under penalty of perjury as follows:

1. I am over the age of twenty-one (21) years, and of sound mind. I make this Declaration from my personal knowledge. I would testify to the facts stated in this Declaration if called upon to do so.

2. I submit this affirmation in support of Defendant Chess.com, LLC’s (“Chess.com”) Motion for Further Direction and for Extension of Time to File Corporate Disclosure Pursuant to Federal Rule of Civil Procedure 7.1.

3. I am Chess.com’s Chief Financial Officer and in this role am familiar with the organizational structure of Chess.com.

4. I am also aware of this Court’s December 2, 2022 Order directing Chess.com to file a disclosure statement in compliance with the newly amended Rule 7.1 which will require

Chess.com to identify the citizenship of each of its members, traced through until a corporation or natural person is reached. ECF No. 57 at 4.

5. In accordance with that Order, I have been working to gather the relevant information regarding the ownership interests in Chess.com. To provide the Court with an understanding of the extreme burden associated with obtaining information regarding all ownership interests in Chess.com, I include herein a description of Chess.com's ownership structure and the efforts, to date, to obtain this information.

6. Chess.com is an LLC whose sole member is Checkmate Intermediate Holdings LLC.

7. Checkmate Intermediate Holdings LLC's sole member is Chess Holdings, LLC ("HoldCo").

8. HoldCo has dozens of members, several of which are also LLCs and Limited Partnerships ("LPs").

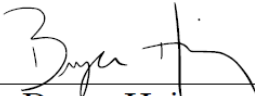
9. Based on discussions with investors of Chess.com, I understand that these LLC and LP members of HoldCo have hundreds if not thousands of members and/or partners.

10. Moreover, several of these LLC and LP members of HoldCo are not owned, operated, or controlled by Chess.com. These members are also not parties to the underlying litigation. Thus, Chess.com does not have immediate control and access to their books and records.

11. Several of these non-party entities upon which Chess.com has no control have indicated that providing the information sought by the Court's order would pose a significant burden and otherwise implicate substantial interests in privacy and competitively sensitive

information such that complying with the Court's order on the current timeline has become not currently feasible.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on this 7th day of December, 2022.



Bryce Heinz